

LEE LITIGATION GROUP, PLLC

148 WEST 24TH STREET, EIGHTH FLOOR

NEW YORK, NY 10011

TEL: 212-465-1180

FAX: 212-465-1181

INFO@LEELITIGATION.COM

MEMO ENDORSED

See last page.

WRITER'S DIRECT: 212-465-1188
 cklee@leelitigation.com

March 18, 2022

Via ECF:

The Honorable Edgardo Ramos, U.S.D.J.
 United States District Court
 Southern District of New York
 40 Foley Square
 New York, NY 10007

Re: *Gonzalez v. Hanover Ventures Marketplace LLC et al*
Case No. 21-cv-01347 (ER)

Dear Judge Ramos:

We are counsel to Plaintiff. We write to inform the Court of the following discovery disputes: (i) Defendants continued refusal to produce collective members' contact information pursuant to the Court's January 21, 2022 Order, and (ii) that the request for relief outlined in Plaintiff's November 3, 2021 Motion to Compel Discovery remains unchanged. Due to these continuing discovery disputes, Plaintiff requests an informal conference under Local Civil Rule 37.2 and Your Honor's Individual Rules and Practices in Civil Cases, Section 2(A).

The Court granted Plaintiff's Motion for Conditional Certification on January 21, 2022. Within the Order granting Plaintiff's motion, the Court instructed parties to meet and confer to set a reasonable schedule for production of the collective members contact information. Over a month ago, on February 10, 2022, Plaintiff wrote the Court due to this same failure to provide, or even meet and confer regarding, the production of the collective's contact information. *See* Plaintiff's February 10, 2022 Letter-Motion [ECF 53].

Despite Plaintiff's letter to the Court, Defendants failed to respond timely to the Court. Eventually, Defendants responded, and the Court terminated that motion in the face of Defendants' counsel's assurance they were "diligently assembling the demanded records and materials." *See* Defendants' February 25, 2022 Letter to the Court [ECF 56]. However, it is now clear that Defendants do not intend to comply with this Court Ordered production. Fifty-six (56) days have passed since the granting of Plaintiff's conditional collective, and Defendants still refuse to provide an estimated date that the collective contact information will be produced.

Plaintiff has attempted to meet and confer with Defendants on multiple occasions to set a reasonable schedule for production, but Defendants have refused to provide an expected date for delivery of this Court Ordered information. Most troubling, Defendants' counsel continues to ignore emails and reasonable requests, which necessitates continued Court intervention. *See Exhibit A*, Plaintiff's Good Faith Efforts.

Plaintiff also writes to instruct the Court that the discovery disputes outlined in Plaintiff's November 3, 2021 Memorandum of Law to Compel Discovery remain unchanged. Once again, despite Defendants' February 25, 2022 letter informing the Court they were "inclined to accept" Plaintiff's proposed sampling, Defendants have yet to accept or reject Plaintiff's proposal. Due to this failure, Plaintiff's discovery requests outlined in his November 3, 2021 Memorandum of

Law to Compel Discovery remain unaltered. Plaintiff seeks an Order granting all requests moved for in that motion.

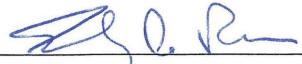
We thank the Court for its time and consideration.

Respectfully submitted,

C.K. Lee

C.K. Lee, Esq.

A discovery conference is scheduled for Friday, April 1, 2022 at 11:00 am. The parties should call 877-411-9748 and enter access code 3029857# when prompted. Defendants are directed to respond to this letter by March 23, 2022. SO ORDERED.



Edgardo Ramos, U.S.D.J

Dated: March 18, 2022

New York, New York